THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.19992 of 2007

Between:

Matcha Ramaiah. … Petitioner

and

The Joint Collector, Prakasham District and others. … Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.19992 of 2007

ORDER:

It is stated that against grant of pattadar pass book in favour of the father of the petitioner herein in respect of the land admeasuring Ac.3-92 cents in Sy.No.58 situated at Ponnalur Gudavari Kandrika Village, the brother of the petitioner's father, who is the 4th respondents herein, filed an appeal before the 2nd respondent. The 2nd respondent allowed the appeal on 08-05-2007 in proceedings No.R.Dis/255/2006, on the ground that the father of the petitioner and the 4th respondent are the brothers and, therefore, they are entitled to equal share in the land in question and accordingly, directed to delete an extent of half share i.e., the land admeasuring Ac.1-96 cents in Sy.No.58, from the pattadar pass book of his father and restore the same in favour of the 4th respondent. As against the said order, the petitioner filed a revision before the 1st respondent. The 1st respondent through order, dated 29-06-2007, in L.Dis.No.2280/2007 (D2), dismissed the revision at the admission stage.

Learned counsel appearing for the petitioner submits that the 1st respondent dismissed the revision without considering the contentions raised in the revision and, therefore, the same is liable to be set aside.

I am of the opinion that whenever a revision is filed, it is for the Revisional Authority to pass appropriate orders, in accordance with law, after

considering the contentions raised in the revision. Admittedly, the 1st respondent passed the impugned order without considering the contentions raised in the revision and, therefore, the same is liable to be set aside.

Accordingly, the writ petition is allowed setting aside the order passed by the 1st respondent in L.Dis.No.2280 of 2007, dated 29-06-2007, and remanded the matter to the 1st respondent, to consider and pass appropriate orders, in accordance with law, after giving reasonable opportunity to the petitioner as well as the 4th respondent, as expeditiously as possible. There shall be no order as to costs.

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20-09-2007

Prv